IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5851 OF 2004
IN
CRIMINAL APPEAL NO.1564 OF 2004

Shri Kumar Ganpat Rahate ...Applicant.

V/s

The State of Maharashtra ...Respondent.

Mr. Rahul S. Thakur for the applicant.

Mr. D.P. Adsule, APP for the respondent.

CORAM: V.M. KANADE, J.
DATE : 23rd December, 2004.

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the respondent - State.

2. Applicant is convicted for having committed an offence under section 304 Part-II of the Indian Penal Code and is sentenced to undergo 4 years R.I. Applicant is in jail since 1/7/2003 and has already undergone one year and two months of sentence.

3. Prosecution case is that the applicant had given one single blow to the deceased Raju. from the record it appears that the incident in question had taken place on a trivial dispute between two brothers.

4. In my view, this is a fit case where the applicant is entitled to be released on bail. Applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount.

V.M. KANADE, J.